

REMARKS

Favorable reconsideration of this application, in light of the following discussion and in view of the present amendment, is respectfully requested.

Claims 1, 5, 7, and 30 have been amended. Claims 1 and 3-30 are pending and under consideration. Support for the amendments to the claims may be found in the claims as originally filed. This amendment is believed to place the application in condition for allowance, and entry therefore is respectfully requested. In the alternative, entry of this amendment is requested as placing the application in better condition for appeal by, at least, reducing the number of issues outstanding.

Entry of Amendment under 37 C.F.R. § 1.116

The Applicant requests entry of this Rule 116 Response because: the amendments were not earlier presented because the Applicant believed in good faith that the cited references did not disclose the present invention as previously claimed. No new features or new issues are being raised. Note that claim 3 was amended per the Examiner's suggestion in item 9, page 4 of the Final Office Action.

The Manual of Patent Examining Procedures (M.P.E.P.) sets forth in Section 714.12 that "any amendment that would place the case either in condition for allowance or in better form for appeal may be entered." Moreover, Section 714.13 sets forth that "the Proposed Amendment should be given sufficient consideration to determine whether the claims are in condition for allowance and/or whether the issues on appeal are simplified." The M.P.E.P. further articulates that the reason for any non-entry should be explained expressly in the Advisory Action.

I. Rejection under 35 U.S.C. § 102

In the Office Action, at page 2, numbered paragraph 2, claim 30 was rejected under 35 U.S.C. § 102(b) as unpatentable over Forlenza et al. (EP 0 886 204). This rejection is respectfully traversed to the extent it would apply to claim 30 as amended. Forlenza does not discuss or suggest “a lid selectively moveable between an opened position in which the main and auxiliary display sections are visible and a closed position in which the main display section is not visible but the auxiliary display section remains visible from an outside of the electronic equipment; wherein the auxiliary display system, a plurality of buttons including a plurality of application buttons, and a mode select button remain visible from the outside of the electronic equipment in each of the open position of the lid, the closed position of the lid and an intermediate position between the open and closed positions of the lid,” as recited in amended independent claim 30. In other words, the auxiliary display section, a plurality of buttons including the application buttons, and a mode select button of the present invention remain visible throughout the entire range of motion of the lid, from an open position to a closed position. Forlenza, as shown in Figs. 1A and 1B as relied upon by the Examiner, merely shows a status display that is visible *only* when a lid portion is either in a closed position *or* an open position.

Therefore, as Forlenza does not discuss or suggest “a lid selectively moveable between an opened position in which the main and auxiliary display sections are visible and a closed position in which the main display section is not visible but the auxiliary display section remains visible from an outside of the electronic equipment; wherein the auxiliary display system, a plurality of buttons including the application buttons, and a mode select button remain visible from an outside of the electronic equipment in each of the open position of the lid, the closed position of the lid and an intermediate position between the open and closed positions of the lid,” as recited in amended independent claim 30, claim 30 patentably distinguishes over the reference relied upon. Accordingly, withdrawal of the § 102(b) rejection is respectfully requested.

II. Rejection under 35 U.S.C. § 103

In the Office Action, at page 3, numbered paragraph, claims 1 and 3-29 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Forlenza in view of U.S. Patent Publication

No. 2002/0002039 to Qureshey et al. This rejection is respectfully traversed to the extent it might apply to the claims as amended. Reconsideration is earnestly solicited.

Neither Forlenza nor Qureshey discuss or suggest all of the claimed elements of the present invention, as recited in amended claim 1. The present invention as set forth in claim 1 includes an auxiliary display section, a plurality of buttons, a mode select button, a lid, and a controller, wherein the auxiliary display section, plurality of buttons, and mode select button are visible throughout the entire range of motion of the lid, from a closed position to an open position. Forlenza is provided with a base portion having a display portion, a status display section, a series of buttons, and a lid closable between an open and closed position. However, Forlenza, as shown in Figs. 1A and 1B and discussed in paragraph [0013], has no mode select button and merely shows a status display that is visible *only* when a lid portion is either in a closed position *or* an open position. Qureshey, for its part, is in an unrelated field and merely discloses a display device having a mode selection button, with no auxiliary display or lid portion at all.

Further, it would not have been obvious, as the Examiner states, to modify the controller of Forlenza with the features of the meaning of the keys corresponding to the display sections according to a mode selection key of Qureshey so that a user could input more functions with a limited number of keys. There is no adequate motivation to combine the portable computer system of Forlenza with the audio system of Qureshey without having to rely on the Applicant's own disclosure and, even if Forlenza was combined with Qureshey, the claimed invention would not result. Therefore, amended claim 1 patentably distinguishes over the references relied upon. Accordingly, withdrawal of the § 103(a) rejection is respectfully requested.

Claims 3, 4, 9-13, 24, and 27 depend either directly or indirectly from claim 1 and include all the features of claim 1, plus additional features that are not discussed or suggested by the references relied upon. Therefore, claims 3, 4, 9-13, 24, and 27 patentably distinguish over the references relied upon for at least the reasons noted above. Accordingly, withdrawal of these § 103(a) rejections is respectfully requested.

Neither Forlenza nor Qureshey discuss or suggest an auxiliary display section, plurality of buttons, and mode select button "wherein the auxiliary display section, the plurality of buttons including the application buttons, and the mode select button remain visible from the outside of the electronic equipment in each of the open position of the lid, the closed position of the lid and an intermediate position between the open and closed positions of the lid," as recited in

amended claim 5. Therefore, amended claim 5 patentably distinguishes over the references relied upon. Accordingly, withdrawal of the § 103(a) rejection is respectfully requested.

Claims 6, 14-18, 25, and 28 depend either directly or indirectly from claim 5 and include all the features of claim 5, plus additional features that are not discussed or suggested by the references relied upon. Therefore, claims 6, 14-18, 25, and 28 patentably distinguish over the references relied upon for at least the reasons noted above. Accordingly, withdrawal of these § 103(a) rejections is respectfully requested.

Neither Forlenza nor Qureshey discuss or suggest an auxiliary display section, plurality of buttons, and mode select button “wherein the auxiliary display section, the plurality of buttons including the application buttons, and the mode select button remain visible from the outside of the electronic equipment in each of the open position of the lid, the closed position of the lid and an intermediate position between the open and closed positions of the lid,” as recited in amended claim 7. Therefore, amended claim 7 patentably distinguishes over the references relied upon. Accordingly, withdrawal of the § 103(a) rejection is respectfully requested.

Claims 8, 19-23, 26, and 29 depend either directly or indirectly from claim 7 and include all the features of claim 7, plus additional features that are not discussed or suggested by the references relied upon. Therefore, claims 8, 19-23, 26, and 29 patentably distinguish over the references relied upon for at least the reasons noted above. Accordingly, withdrawal of these § 103(a) rejections is respectfully requested.

Conclusion

Claims 1 and 3-29 are pending and under consideration.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

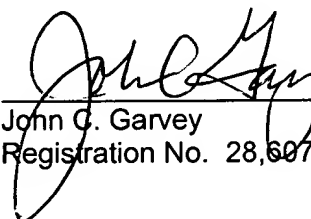
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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